

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA

RECEIVED

Cleveland Berry 217872  
Full name and prison number of plaintiff(s) 2009 FEB - 3 A 10: 23

v.

DEBRA P. HAGGETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT

CIVIL ACTION NO. 1:09cv88-WHA  
(To be supplied by Clerk of  
U.S. District Court)

Houston County

Houston County Commissioner

Deputy. Leary

Deputy. Chauncey

Deputy. Hagler

Name of person(s) who violated  
your constitutional rights.  
(List the names of all the  
persons.)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES ( ) NO ( ☒ )
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES ( ) NO ( ☒ )
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket number \_\_\_\_\_
4. Name of judge to whom case was assigned \_\_\_\_\_  
\_\_\_\_\_
5. Disposition (for example: Was the case dismissed?  
Was it appealed? Is it still pending?) \_\_\_\_\_  
\_\_\_\_\_
6. Approximate date of filing lawsuit \_\_\_\_\_
7. Approximate date of disposition \_\_\_\_\_

II. PLACE OF PRESENT CONFINEMENT \_\_\_\_\_  
\_\_\_\_\_

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED \_\_\_\_\_  
\_\_\_\_\_

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR  
CONSTITUTIONAL RIGHTS.

NAME

ADDRESS

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED \_\_\_\_\_  
\_\_\_\_\_

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION  
THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: On Jan 13, 2009 I was asked by  
Officer Hager, officer heavy to kind of scare a group

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

of Children that was coming threw the jail on a tour, me along with 3 other inmates, Jarvis Dean, Rodney Caliste, and Johnny Bradley. Officer Hogler along with officer Chauncey told us it was ok to put on a play for the Teenagers. Once the play began

GROUND TWO: Officer Leary Shot me in the back with his taser gun the prison entered the night

SUPPORTING FACTS: Side of my Back, I fell to the ground, I told officer Leary it was a play, he helped me up off the ground and said he was sorry. Officer Leary said he was sorry again and asked me was I ok, He said he didn't know.

Sgt Buckman Asked me was I ok, Then she told

GROUND THREE: Officer Leary that they would come up with some kind of report saying the taser

SUPPORTING FACTS: just went off. The officer's then came back into the pod later on and said we were going to lock up because Sgt. Jones wanted us to go to justify them using the taser gun. we was put in lock up together same cell, wrote a

Major: Disciplinary for Disobeying a Direct order and Assault on another Inmate fighting. Officer Hogler and officer Chauncey wrote that we came up with that on our own, and they told us not to do it. As this was taking place officer Hogler was telling Sgt. Buckman what we was doing. She told us to put her, along with officer Shelly on our Disciplinary for a witness. The next morning while in lock up I wrote the commander about what went on and a Sgt. Buckman, officer Leary went to him and notified him the the two officer's were lying ne let us out of

, Attach From Sheet

Gave me my Cell back and my Bed back, The Commander told a officer to Come and Inform us that he was doing a full Investigation of the whole Incident, He Also The two officer were possibly facing a felony Charge for giving sworn Statements and lying to him. While IN lock up I wrote a request to go to see the Doctor because I hurt my Hip in the process they Didn't See me until the next Day a Day later I was Shipped to Kilby Corr facility.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

I would like for something to be did about my Angel  
an unsual punishment the way they did me. I Also  
would like for them to pay my Doctor Bills

Cleveland Berry  
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on 1/29/2009  
(Date)

Cleveland Berry  
Signature of plaintiff(s)

Cleveland Perry #217872  
P.O. Box 150  
Mount Meigs AL, 36057

Legal  
Mail

Prison is for men  
and women  
Department of Corrections is not responsible  
for the substance or content of the enclosed  
communication.

U.S. District Clerk  
Debra Hackett  
P.O. Box 711  
Montgomery AL, 36161

